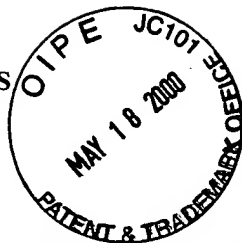


Express Mail Label No.: EJ623374599US  
Date of Deposit: May 17, 2000



Attorney Docket No. 15966-534C CIP1  
(CURA-34C CIP1)

See BOX See  
Sector  
#4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Shimkets and Leach  
ASSIGNEE : CuraGen Corporation  
SERIAL NUMBER : 09/472,688 EXAMINER: Not Yet Assigned  
FILING DATE : December 27, 1999 ART UNIT: Not Yet Assigned  
FOR : NUCLEIC ACIDS CONTAINING SINGLE NUCLEOTIDE POLYMORPHISMS AND  
METHODS OF USE THEREOF

May 17, 2000  
Boston, Massachusetts

BOX Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL**

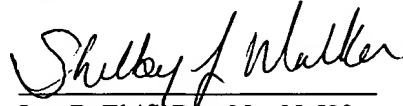
In response to the Notice of Missing Parts mailed on March 9, 2000, attached please find:

- ☒ Response to Notice to File Missing Parts (1 pg.);
- ☒ Copy of Notice to File Missing Parts (1 pg.);
- ☒ Petition for Extension of Time (1 pg.);
- ☒ Combined Declaration and Power of Attorney (3 pgs);
- ☒ Statement Claiming Small Entity Status (2 pgs.);
- ☒ Response to Notice to Comply with Sequence Listing Requirements (2 pages);
- ☒ Substitute Computer Readable Form Copy of the "Sequence Listing" (1 diskette);
- ☒ Statement in Support of Computer Readable Form Submission (1 page); and
- ☒ Two checks (#5627) in the amount of \$65.00 in payment of the surcharge fee and (#5970) in the amount of \$55.00 in payment of the extension fee; and
- ☒ Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at telephone (617) 542-6000.

The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 50-0311 (Reference No. 15966-534C CIP1, CURA-34C CIP1).

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Shelby J. Walker", is written over a horizontal line.

Ivor R. Elrifi, Reg. No. 39,529

Shelby J. Walker, Reg. No. 45,192

Attorneys for Applicants

c/o MINTZ, LEVIN

One Financial Center

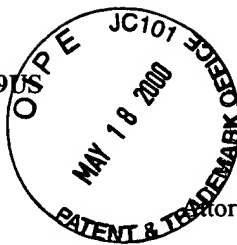
Boston, Massachusetts 02111

Tel: (617) 542-6000

Fax: (617) 542-2241

TRADOCS:1310755.1(S3DV01!.DOC)

Express Mail Label No.: EJ6 374599  
Date of Deposit: May 17, 2000



**PATENT APPLICATION**

Attorney Docket No. 15966-534C CIP1 (CURA-34C CIP1)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Shimkets and Leach  
ASSIGNEE : CuraGen Corporation  
SERIAL NUMBER : 09/472,688 EXAMINER : Not Yet Assigned  
FILING DATE : December 27, 1999 ART UNIT : Not Yet Assigned  
FOR : NUCLEIC ACIDS CONTAINING SINGLE NUCLEOTIDE POLYMORPHISMS AND  
METHODS OF USE THEREOF

May 17, 2000  
Boston, Massachusetts

BOX Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notice To File Missing Parts mailed March 9, 2000, Applicants submit herein an executed Inventor Declaration, payment of the surcharge for late filing (\$65.00) set forth in 37 C.F.R. §1.16(e), a copy of Form PTO-1533, and Statement Claiming Small Entity Status. Applicants have filed concurrently herewith a petition for a one-month extension of time with a check to cover the \$55.00 extension fee pursuant to 37 C.F.R. §1.17(a)(1). With the extension, the response is due on or before June 9, 2000.

Please charge any additional fees that may be Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 15966-534C CIP1, CURA-34C CIP1).

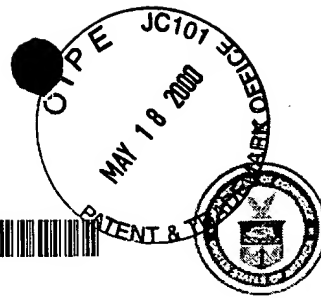
Respectfully submitted,

Ivor R. Elrifi/Reg. No. 39,529  
Shelby J. Walker, Reg. No. 45,192  
Attorneys for Applicants  
c/o MINTZ, LEVIN  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241

## FORMALITIES LETTER



\*OC00000004987808\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

#4

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/472,688	12/27/1999	Richard A. Shimkets Ph.D	15966-534C-CIP1

Shelby J. Walker  
Mintz Levin Cohn Ferris Glovsky and Popeo P.C.  
One Financial Center  
Boston, MA 02111

RECEIVED

MAR 21 2000

MINTZ LEVIN, BOSTON  
BOSTON DOCKET DEPT

Done By	
<input type="checkbox"/> File Folder	
<input type="checkbox"/> Data Entry	
<input checked="" type="checkbox"/> Docket Entry	5/19/2000
<input type="checkbox"/> Docket Cross Off	
<input type="checkbox"/> Previously Entered	
<input type="checkbox"/> No Docketing Fee	
<input type="checkbox"/> Order Copies	
<input type="checkbox"/> Annuites	
<input type="checkbox"/> Efile	

Date Mailed: 03/09/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):
  - The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-1123
- For CRF Submission Help, call (703) 308-4212
- PatentIn Software Program Support
- - For Technical Assistance, call (703) 287-0200
- - To Purchase PatentIn Software, call (703) 306-2600

- The balance due by applicant is \$ 130.

05/19/2000 HSA/DARA 00000037 09472688

01 FC:205

A copy of this notice MUST be returned with the reply.  
65.00 OP

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Shimkets and Leach  
ASSIGNEE: CuraGen Corporation  
SERIAL NUMBER: 09/472,688 EXAMINER: Not Yet Assigned  
FILING DATE: December 27, 1999 ART UNIT: Not Yet Assigned  
FOR: NUCLEIC ACIDS CONTAINING SINGLE NUCLEOTIDE POLYMORPHISMS AND METHODS OF USE THEREOF

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c) – SMALL BUSINESS CONCERN)**

I hereby state that I am an official of the small business concern empowered to act on behalf of the concern identified below:

CuraGen Corporation  
555 Long Wharf Drive, 13<sup>th</sup> Floor  
New Haven, Connecticut 06511

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 C.F.R. § 121, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above;  
☒ the application identified above; or  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c), if that person made the invention, or by any concern which would not

APPLICANTS:  
U.S.S.N.:

Shimkets and  
09/472,688

qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:



no such person, concern, or organization exists.



each such person, concern, or organization is listed below: ω

*ω Note: Separate Statements Claiming Small Entity Status are required from each named person, concern, or organization having rights to the invention. 37 C.F.R. § 1.27.*

Full Name:

Address:

☐ Individual ☐ Small Business Concern ☐ Non-profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. 37 C.F.R. § 1.28(b).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

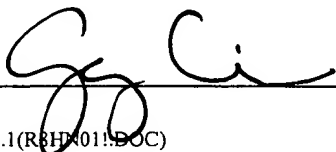
Name of person signing: **George A. Xixis, Esq.**

Title in organization of person signing: **Intellectual Property Counsel**

Address of person signing:

CuraGen Corporation  
555 Long Wharf Drive, 13<sup>th</sup> Floor  
New Haven, Connecticut 06511

Signature: \_\_\_\_\_

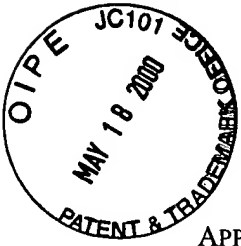


Date: \_\_\_\_\_

1/06/2000

TRADOCS:1270715.1(R&H011.DOC)

Express Mail Label No.: EJ6 74599US  
Date of Deposit: May 17, 2000



**PATENT APPLICATION**  
Attorney Docket No. 15966-534C CIP1 (CURA-34C CIP1)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Shimkets and Leach  
ASSIGNEE : CuraGen Corporation  
SERIAL NUMBER : 09/472,688 EXAMINER : Not Yet Assigned  
FILING DATE : December 27, 1999 ART UNIT : Not Yet Assigned  
FOR : NUCLEIC ACIDS CONTAINING SINGLE NUCLEOTIDE POLYMORPHISMS AND  
METHODS OF USE THEREOF

BOX Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

May 17, 2000  
Boston, Massachusetts

**RESPONSE TO NOTICE TO COMPLY WITH SEQUENCE LISTING  
REQUIREMENT UNDER 37 CFR §§ 1.821 - 1.825**

In response to the March 9, 2000 Notice to File Missing Parts, Applicants file this Response in order to comply with same. Applicants concurrently submit herewith a substitute computer readable form (CFR) copy of the "Sequence Listing" and a statement that the content of the paper and computer readable copies are the same and include no new matter, in compliance with 37 C.F.R. §§ 1.821-1.825.

This response is due on or before June 9, 2000, with one extension. The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Attorney Reference No. 15966-534C CIP1, CURA-34C CIP1).

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529  
Shelby J. Walker, Reg. No. 45,192  
Attorneys for Applicants  
c/o MINTZ, LEVIN  
One Financial Center  
Boston, Massachusetts 02111  
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Fax: (617) 542-2241